

January 15, 1974

PRESIDENT: The chair recognizes Senator Marvel, then Fellman, then Nore. Senator Marvel.

SENATOR MARVEL: I wonder if one of the problems involved in all of this discussion doesn't have to do with page 6 of the bill in which the approval in this category is moved from the Director of Administrative Services to the Legislature. I fail to see any evidence to support the argument so far that the Legislature by virtue of the passage of this bill is taking power away from itself. We're creating additional power, we're creating additional committees, we are creating an additional audit committee so to speak to add power to what we already have. So I think the accusations that some are making at this...that this is a partisan political move come a little late and are a little weak. I don't find anything in this bill nor in the studies that have been conducted the past few years, in fact the past couple of years, to support the argument that belatedly at the last moment some are now taking an interest in this bill. Therefore, we should bring it back and destroy an attempt to beef up an important function of this Legislature. Rather than tearing down, we are building up. I think it behooves those who are objecting to this piece of legislation at this particular time to use them to continue to support the strengthening of the Legislature in this area. We are adding to legislative strength rather than taking from it.

PRESIDENT: Next to speak is Senator Fellman and then Senator Nore.

SENATOR FELLMAN: I would call the attention of anybody who is taking the time to look at this bill to what I find is the objectionable portion of it and the problem. If you will turn to page 2, line 8, it talks about the audit and it says, "at such time as the auditor of public accounts shall determine," - then it goes on on the next page 4, line 17, paragraph 9, "at such times as the auditor of public accounts shall determine." Now, this is the part that really bothers me. I think this state has had a history of electing auditors more on name than anything else. I don't mean to refer negatively to anybody that holds the office, has held it or might hold it. But I think we're allowing at this point the auditor of public accounts for whatever reason he might have to do whatever he wants with an audit. He can decide to audit something and it can be quite insignificant. It can be released to the press and all of a sudden, there is an issue about something that responsible minds with a little bit of time wouldn't make an issue. Now, I don't think the Governor is trying to get out of anything or do anything but put the function for supervising where the money has been spent back to the people who spent it. If the Governor would try to get power unto himself, he would have let this thing quietly go on and forget it. At least from my point of view, this was presented in its original vote as an routine matter and it passed that way. It was since that time in reading the year end report from the Council of State Government that I realized a few weeks ago that two-thirds of the state have done this...and I'm not arguing against the auditing function itself. The place they've done it is within the Legislature. I think we're allowing a potential problem to develop that we could stop and nip in the bud if we do call the bill back and we place it where it belongs in the Legislature.

PRESIDENT: Senator Nore.

SENATOR NORE: I'll pass.

PRESIDENT: Senator Warner, do you wish to be heard on the issue?

SENATOR WARNER: Mr. President and members of the Legislature. I was believe chairman of the sub-committee that studied this. I want to report that we did go into all alternatives. There was a great deal of time used in studying whether the function should be

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